

REMARKS

The present invention relates to prepolymers useful in the manufacture of biocompatible medical devices. The aromatic-substituted polysiloxane prepolymers of the present invention are capable of copolymerization with one or more other monomers to form polymeric compositions having desirable physical characteristics and refractive indices for use in the manufacture of ophthalmic implants.

Claims 1, 4, 6, 7 and 29 have been amended. Claims 1, 4, 6 and 7 have been amended to more particularly point out and distinctly claim the subject matter of the present invention without the addition of new matter. Support for the amendment of claims 1, 4, 6 and 7 can be found on page 18, Example 1, page 23, Example 5 and page, 24, Example 7, as well as other locations throughout the specification. Claim 7 has also been amended to independent form including all of the limitations of the base claim and any intervening claims as suggested by the Examiner. Claim 29 has been amended to correct an informality.

Claim 6 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants respectfully traverse the rejection of claim 6 under 35 U.S.C. 112, second paragraph. Based on the above amendment to claim 6, an aromatic substituent is now included. Accordingly, the rejection of claim 6 as now written

is inappropriate. Withdrawal of the rejection of claim 6 under 35 U.S.C. 112, second paragraph, is respectfully requested.

Claims 1–6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Okawa, U.S. Patent Number 5,223,596 (hereinafter “Okawa”).

Applicants respectfully traverse the rejection of claims 1–6 under 35 U.S.C. 103(a). Okawa discloses a difunctional polysiloxane containing phenyl and methyl groups.

To the contrary, the prepolymers of the present invention are polydiorganosiloxanes having methylphenylsiloxane units. The same are neither taught nor suggested by Okawa. Accordingly, the rejection of claims 1–6 as now amended is inappropriate. Withdrawal of the rejection of claims 1–6 is therefore respectfully requested.

Claim 7 stands under objection as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants respectfully traverse the objection of claim 7. Based on the above amendment to claim 7 presenting the same in independent form including all of the limitations of the base claim and any intervening claims, the subsection objection is inappropriate. Withdrawal of the objection to claim 7 is respectfully requested.

Applicants thank Examiner Peng for the allowance of claims 28 and 29.

Based upon the above amendments to the claims and remarks provided herein, applicants believe pending claims 1-7, 28 and 29 to be allowable. Allowance of all pending claims 1-7, 28 and 29 is therefore respectfully requested.

Should there be any questions regarding this communication, please feel free to contact the undersigned at (636) 226-3340.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rita D. Vacca", followed by a long horizontal flourish line.

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